

SC-5J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tom Jaynes
Vantage Specialties, Inc.
Lambent Technologies Corporation Division
3938 Forett Drive
Gurnee, Illinois 60031

Re: Request for Information Pursuant to Section 104(e) of CERCLA
for Vantage Specialties, Inc., Gurnee, Illinois

Dear Mr. Jaynes:

The U.S. Environmental Protection Agency is currently investigating the source, extent, and nature of releases of hazardous substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §§ 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, including but not limited to the release of ethylene oxide at Vantage Specialties, Inc. in Gurnee, Illinois on June 1, 2014.

Pursuant to the authority of Section 104(e) of the CERCLA, 42 U.S.C. § 9604(e), you are hereby requested to respond to the enclosed Information Request. Compliance with the enclosed Information Request is mandatory. Failure to respond fully and truthfully to each and every request within 20 days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by EPA and the imposition of penalties of up to \$37,500¹ for each day of noncompliance. Noncompliance is considered by EPA to be not only failure to respond to the Information Request but also failure to respond completely and truthfully to each request. Please be further advised that provision of false, fictitious, or fraudulent statements or

¹ While the provisions of Section 104(e)(5) of CERCLA provide for a penalty per violation of up to \$25,000 per day, the Civil Monetary Penalty Adjustment Rule, published at 40 C.F.R. Part 19, increased the maximum penalty to \$27,500 per day for each violation occurring on or after January 31, 1997, to \$32,500 per day for each violation occurring after January 15, 2004, and to \$37,500 per day for each violation after January 12, 2009.

representations may subject you to criminal fines or up to five years of imprisonment or both under 18 U.S.C. § 1001.

EPA has the authority to use the information requested herein in an administrative, civil, or criminal action. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §§ 3501, et seq.

Your response to this Information Request should be mailed to:

Ginger Jager
Chemical Emergency Preparedness
and Prevention Section (SC-5J)
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above. Please direct any questions you may have regarding this Information Request to Ginger Jager at (312) 886-0767. Thank you for your cooperation in this matter.

Sincerely,

Sharon Jaffess, Chief
Enforcement and Compliance Assurance Branch

Enclosures (3) Information Request Definitions
Information Request Instructions
Information Request

DEFINITIONS

For the purpose of the Instructions and the Information Request set forth herein, the following definitions shall apply:

1. The terms “you” or “Respondent” shall mean Vantage Specialties, Inc., its officers, managers, employees, contractors, trustees, and agents.
2. The term “person” as used herein, in the plural as well as the singular, shall mean any natural person, firm, contractor, corporation, partnership, trust or governmental entity, unless the context indicates otherwise.
3. The term “hazardous substance” shall have the same definition as that contained in Section 101(14) of CERCLA, including mixtures of hazardous substances.
4. The terms “furnish,” “describe,” or “indicate” shall mean turning over to EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to a request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control, then indicate where such information or documents may be obtained.
5. “Release” means any spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing of any hazardous substance.
6. “And” as well as “or” shall be construed either conjunctively or disjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
7. The terms “transport” or “transportation” mean the movement of a hazardous substance by any mode, including pipeline, and in the case of a hazardous substance which has been accepted for transportation by a common or contract carrier, the terms “transport” or “transportation” shall include any stoppage in transit which is temporary, incidental to the transportation movement, and at the ordinary operating convenience of a common or contract carrier, and any such stoppage shall be considered as a continuity of movement and not as the storage of a hazardous substance.
8. The terms “pollutant” or “contaminant” shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.
9. The term “Facility” means (1) any building structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit,

pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (2) any site or area where a hazardous substance has been disposed of, or placed, or otherwise come to be located; but does not include any consumer products in consumer use or vessel.

10. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq., as amended, 40 C.F.R. Part 300 or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

INSTRUCTIONS

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number in the Information Request to which it corresponds.
3. In answering each request, identify all contributing sources of information.
4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to EPA. Moreover, should the Respondent find, at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, Respondent must notify EPA as soon as possible.
5. Your response must be accompanied by a notarized affidavit from a responsible company official or representative stating that the information provided in this response is true and accurate to the best of the Facility's knowledge. To the extent that any information you provided relating to these requests is based on your personal knowledge, or personal knowledge of your employees, agents, or their representatives, this information shall be in the form of a notarized affidavit.
6. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read carefully the above-cited regulations before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

INFORMATION REQUEST

1. Identify all persons consulted in the preparation of the answers to this request.
2. Identify all documentation consulted, examined, or referred to in the preparation of the answers to this request and provide copies of all such documents.
3. What is Vantage Specialties, Inc.'s Standard Industrial Classification Code?
4. What is Vantage Specialties, Inc.'s Dun & Bradstreet number?
5. What are Vantage Specialties, Inc.'s annual sales for the most recently completed fiscal year?
6. How many employees are employed at Vantage Specialties, Inc., 3938 Forett Drive, Gurnee, Illinois?
7. How many employees are employed at Vantage Specialties, Inc.'s corporate wide?
8. Is Vantage Specialties, Inc. a RCRA facility? If so, provide the EPA Identification Number.
9. Provide a copy of your emergency plan which outlines the procedures for notification of accidental releases at your facility.
10. Provide documentation regarding the training of your employees on the procedures for notification of accidental releases at your facility.
11. Provide the name and current address of the owner(s) of the property located at 3938 Forett Drive, Gurnee, Illinois during the time period of January 1, 2014 to the present.
12. Provide the name and current address of the operator(s) of the facility located at 3938 Forett Drive, Gurnee, Illinois during the time period of January 1, 2014 to the present.
13. If Vantage Specialties, Inc. was a corporation during the time period of January 1, 2014 to the present, provide a copy of the Articles of Incorporation.
14. If Vantage Specialties, Inc. was a subsidiary of a corporation during the time period of January 1, 2014 to the present, identify the parent corporation and provide copies of pertinent documents supporting the subsidiary relationship.

15. If Vantage Specialties, Inc. was a division of a corporation during the time period of January 1, 2014 to the present, identify the corporation and provide copies of pertinent documents supporting the claim that this company is a corporate division.
16. If Vantage Specialties, Inc. was a partnership during the time period of January 1, 2014 to the present, provide a copy of the partnership agreement.
17. If Vantage Specialties, Inc. was a trust during the time period of January 1, 2014 to the present, provide all relevant agreements and documents to support this claim.
18. Describe in detail the process that produced the release of a hazardous substance which occurred on June 1, 2014.
19. Describe in detail the chain of events that produced the release of a hazardous substance which occurred on June 1, 2014.
20. Identify each hazardous substance released and its Chemical Abstract Service number.
21. How much of each hazardous substance was released? Describe your method or source of information in calculating the quantity released and provide the calculations.
22. Describe the surfaces on or to which each hazardous substance was released and how much was released to each surface. Describe your method or source of information in calculating the quantity and provide the calculations.
23. How much of each hazardous substance was released or migrated onto and/or into the soil and/or the subsurface strata? Describe your method or source of information in calculating the quantity and provide the calculations.
24. How much of each hazardous substance volatilized? Describe your method or source of information in calculating the quantity and provide the calculations.
25. How much of each hazardous substance was discharged into the sanitary sewer system? If any, describe the pre-treatment conducted by your facility. Describe your method or source of information in calculating the quantity and provide the calculations.
26. How much of each hazardous substance was discharged into the storm sewer system? Describe your method or source of information in calculating the quantity and provide the calculations.
27. Did the hazardous substance(s) react with any substance to cause a by-product? If so, explain and provide the calculations to show the reaction and quantity of each by-product released.

28. What was the concentration of each hazardous substance? Describe your method or source of information in determining the concentration.
29. Provide copies of any and all relevant descriptions of each hazardous substance(s) released, i.e., Material Safety Data Sheet, Manifest, Analytical Data, etc.
30. Provide the RCRA hazardous waste identification number for each hazardous substance released, if one exists.
31. Provide the results of any and all analyses, including but not limited to results of any sampling that was conducted regarding this release.
32. Describe in detail the actions taken by your employees and/or anyone else regarding the emergency response to this release, including any and all chemicals used, the handling or clean-up of the substance, including transportation and destination.
33. Was the release contained solely within a building or structure? If so, explain.
34. Did any of the substance(s) released migrate beyond your facility's boundaries? If so, explain.
35. Provide copies of any permits that cover this release, and provide an explanation of why you believe this release is covered by this permit.
36. If the release was to a containment area, please respond to the following information requests:
 - (a) What are the materials of construction for the containment area?
 - (b) What are the dimensions of the containment area?
 - (c) Did the containment area contain a neutralization agent? If so, what and how much of the neutralization agent was present?
37. Provide a diagram of your facility in relation to each of the facility's boundaries, north, east, south, west, and identify the distance between the point of the release and each facility boundary.
38. Provide a description of the area including residential, commercial, and industrial nature of the area surrounding your facility including the approximate distance of your closest neighbor in each direction.
39. If the release was from a storage area, i.e., tanker, storage tank, etc., provide the following information:

- (a) Location of the tank or storage area, inside or outside of a building, ground level, one story up, etc.
 - (b) Location of the leak in relation to the tank or storage area, i.e., top left side, center top, center side, etc.
 - (c) Size of the hole from which the leak occurred.
 - (d) Length of tank or storage area.
 - (e) Diameter of tank or storage area.
40. To the best of your knowledge what was the duration of the release from onset to mitigation? Explain how you determined the onset and mitigation of the release and what documents or information you relied on to make your determination.
41. Provide the weather conditions at the time of the release including the temperature, humidity, wind speed and direction, precipitation, sunny/cloudy, and barometric conditions.
42. Was the release from a pressurized system? If so, explain and provide the amount of pressure in pounds per square inch.
43. If all the anhydrous ammonia in the system was not released on June 1, 2014, how much of the anhydrous ammonia was in the system at the time of the release, and how much of the anhydrous ammonia was left in the system after mitigation of the release?
44. Was the release from a process pipe, a pipe connected to a tank, or a tank? If none of these apply, explain exactly where the release occurred.
45. If the release was from a process pipe or a pipe connected to a tank, provide the dimensions of the piping.
46. Were there any evacuations, persons medically treated, hospitalizations, and/or deaths associated with this release? If so, describe in detail.
47. Was there any known environmental damage, i.e., fish kills, vegetation damage? If so, describe in detail.
48. Provide both the date and time when you first realized that a hazardous substance was released from the facility on June 1, 2014.
49. Provide both the date and time when you had knowledge that a reportable quantity (RQ) of a hazardous substance(s) was released from the facility on June 1, 2014.
50. If the time of knowledge of the release and time of knowledge of an RQ released is not the

same, explain what actions your employees took in determining that an RQ was released.

51. Did Vantage Specialties, Inc. notify the National Response Center regarding the release which occurred on June 1, 2014? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.
52. Did Vantage Specialties, Inc. notify the Illinois State Emergency Response Commission regarding the release which occurred on June 1, 2014? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.
53. Did Vantage Specialties, Inc. notify the Lake County Local Emergency Planning Committee regarding the release which occurred on June 1, 2014? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.
54. Did Vantage Specialties, Inc. provide a written follow-up emergency notice to the Illinois State Emergency Response Commission, as required by EPCRA Section 304(c) for each release specified above? If so, provide documentation to support your claim.
55. Did Vantage Specialties, Inc. provide a written follow-up emergency notice to the Lake County Local Emergency Planning Committee, as required by EPCRA Section 304(c) for each release specified above? If so, provide documentation to support your claim.